

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

RICHARD W. MAWYER,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT'S
MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 1:04-CR-107 TS

This matter is before the Court for consideration of Defendant Richard W. Mawyer's Motion for Early Termination of Supervised Release. For the reasons discussed below, the Court will grant the Motion.

I. BACKGROUND

On August 11, 2004, Defendant was charged with possession of methamphetamine with intent to distribute. Defendant pleaded guilty on April 5, 2005. On July 21, 2005, Defendant was sentenced to 100 months Bureau of Prisons custody, to be followed by 60 months of supervised release. While in custody, Defendant completed the RDAP program.

Defendant began his term of supervised release on April 23, 2011. While on supervised release, Defendant has complied with all of the requirements placed upon him by his supervising officer. Defendant never missed a urinalysis test and never tested positive. While on release, Defendant has worked full time, gotten married, and worked to mend relationships with friends and family.

In support of his Motion, Defendant has provided letters from friends, family, and co-workers. Those letters all reflect the change that Defendant has made in his life and evidence a strong support system. Defendant now moves to terminate his supervised release.

II. DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is (1) warranted by the conduct of an offender and (2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Having considered these factors, reviewed the docket and case file, and consulted with Defendant's supervising officer, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

III. CONCLUSION


It is therefore

ORDERED that Defendant's Motion for Early Termination of Supervised Release (Docket No. 41) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately and this case shall be closed.

DATED March 4, 2013.

BY THE COURT:



TED STEWART
United States District Judge